

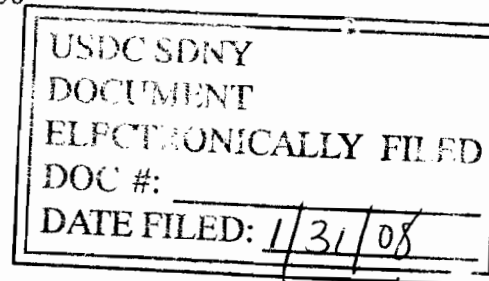
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File C.A. No.
1:00-1898 (SAS)
MDL 1358

This document relates to:

County of Suffolk, et al., v. Amerada Hess Corp., et al., 04 Civ. 3417



**STIPULATION AND ORDER DISMISSING
CERTAIN CLAIMS AGAINST
TOTAL PETROCHEMICALS USA, INC.**

The undersigned counsel for Plaintiffs Suffolk County and Suffolk County Water Authority and Defendant TOTAL PETROCHEMICALS USA, INC. ("TOTAL") hereby agree on behalf of the parties that:

1. Plaintiffs voluntarily dismiss without prejudice their claims under Article 12 of the Navigation Law (New York Spill Prevention, Control and Compensation Act) as against TOTAL for the following wells: Broadway Well No. 2, Church Street (Bohemia) Well No. 1, Church Street (Holbrook) Well No. 2, College Road Well No. 2, Crystal Brook Hollow Road Well No. 3, Dare Road Well No. 1, Horseblock Road Well No. 1, Kayron Drive Well No. 1A, Lakeview Well No. 1, Montauk Highway Well No. 1A, Oak Street Well No. 1, Morris Avenue Well No. 2, Samuel Street Well No. 4, Strathmore Court Well No. 1, Virginia Avenue Well No. 1, Wheat Path Road Well No. 3, Wheeler Road Well No. 1, and Wicks Road Well No. 1.

2. Plaintiffs expressly reserve all remaining claims alleged in the Sixth Amended Complaint against TOTAL, and TOTAL expressly reserves all defenses asserted in its Master Answer relating thereto.

Dated: January 30, 2008

/s/ Steven J. German

Steven J. German

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ATTORNEYS FOR COUNTY OF SUFFOLK
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Dated: January 30, 2008

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ATTORNEYS FOR DEFENDANT
TOTAL PETROCHEMICALS USA, INC.

Dated: January 31, 2008

SO ORDERED:



U.S.D.J.